

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 EA-11 ISO-00 IO-14 CIAE-00 COME-00

DODE-00 FMC-04 INR-10 NSAE-00 RSC-01 CG-00 COA-02

DLOS-06 DOTE-00 L-03 SS-20 NSC-10 DRC-01 /119 W

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R 141720Z DEC 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 2987

INFO AMEMBASSY ATHENS

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMEMBASSY COPENHAGEN

AMEMBASSY THE HAGUE

AMEMBASSY MADRID

AMEMBASSY MOSCOW

AMEMBASSY OSLO

AMEMBASSY OTTAWA

AMEMBASSY ROME

AMEMBASSY STOCKHOLM

AMEMBASSY TOKYO

AMEMBASSY WARSAW

AMCONSUL HAMBURG

USMISSION OECD PARIS

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E.O.11652 NA

TAGS ETRN UNCTAD, UN

SUBJ SHIPPING: UN CONFERENCE ON CODE OF
CONDUCT FOR LINER CONFERENCES

REF GENEVA 6529

BEGIN SUMMARY: FIRST SESSION OF CONFERENCE DRAWING TO
END ACCORDING TO SCHEDULE DESCRIBED REFTEL. VARIOUS GROUPS
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NEAR FINAL AGREEMENT ON TEXT OF RESOLUTION WHICH WILL

REMIT WORK OF CONFERENCE TO RESUMED THREE-WEEK SESSION IN MARCH. TEXT OF DRAFT RESOLUTION IN SEPTEL. DEL PROVIDES BRIEF ASSESSMENT OF FIRST SESSION. END SUMMARY.

1. COMMITTEE II HELD FINAL PLENARY SESSION ON THURSDAY, DEC 13, TO APPROVE REPORT AND TEXTS OF SECTIONS B-3 OF CODE FOR TRANSMITTAL TO PLENARY OF CONFERENCE. MAJORITY OF PARAGRAPHS OF SECTIONS B-E REPRESENTS AGREED TEXTS AND, UNDER TERMS OF ABOVE RESOLUTION, ARE NOT SUPPOSED TO BE RE-OPENED AT MARCH SESSION. MAJOR DIS-AGREED TEXTS ARE THOSE RELATING TO CONFERENCE MEMBERSHIP, SHARES OF TRADE, ROLE OF GOVERNMENT IN CONSULTATION MACHINERY, TIME PERIODS FOR FREIGHT RATE INCREASES, AND ADEQUACY OF SERVICE. COMMITTEE PLENARY ALSO RECEIVED PRODUCT OF DEFINITIONS SUB-GROUP (TD/CODE/C2/L.1) WHICH CONTAINS MOSTLY BRACKETED LANGUAGE. IN VIEW SHORTNESS OF TIME, COMMITTEE DECIDED SIMPLY TO TRANSMIT DOCUMENT TO CONFERENCE PLENARY WITH FURTHER SUBSTANTIVE DISCUSSION POSTPONED TO MARCH.

2. COMMITTEE III CONTINUED WORK ON DEVELOPMENT OF DRAFT IMPLEMENTATION PROVISIONS ALONG LINES OF PRESIDENT'S STATEMENT. AS TIME FOR FURTHER WORK SHORTENED, SUBSTANTIVE DISCUSSION STOPPED AND A FLOOD OF DRAFT PROVISIONS, ALTERNATIVES, AND FOOTNOTES WERE PRODUCED BY DELEGATES WISHING TO PROTECT POSITION FOR RESUMED SESSION. TO ENABLE WORK TO BE COMPLETED, ALL SUCH TEXTS WERE SIMPLY INCLUDED IN COMMITTEE III DRAFT, WITHOUT CONSIDERATION OF WHERE THEY SHOULD BE PLACED OR PROBLEMS OF DUPLICATION. RESULT WILL BE LENGTHY, CUMBERSOME COMPLICATED TEXT WITH FEW PORTIONS IN FINAL AGREED FORM, ONLY MODERATELY ADVANCED FROM JUNE WORK, AND PROMISING THE GREATEST TRIBULATIONS FOR COMMITTEE III AT RESUMED SESSION.

3. COMMITTEE I HELD ITS SECOND AND FINAL PLENARY SESSION ON DEC 14 AND ESSENTIALLY DEFERRED SUBSTANTIVE DISCUSSION OF OBJECTIVES AND PRINCIPLES OF CODE TO MARCH SESSION.

4. RESOLUTION OF CONFERENCE BIGGEST DIFFICULTY IN NEGOTIATING TEXT OF RESOLUTION WAS IN TREATMENT LIMITED OFFICIAL USE

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OF PRESIDENT'S STATEMENT OF PRINCIPLES (REF GENEVA 6587 AND 6488) WHICH WILL BE ANNEXED TO RESOLUTION. THOSE COUNTRIES WHICH DID NOT ACCEPT OR WHICH RESERVED THEIR POSITION ON PRESIDENT'S STATEMENT WISHED TO ENSURE THAT THEIR NEGOTIATING FREEDOM AT MARCH SESSION WAS NOT LIMITED BY TEXT OF RESOLUTION. THEIR CONCERNS WERE LARGELY MET BY THE LANGUAGE OF TEXT CABLED SEPTEL.

5. ASSESSMENT. THIS SESSION ACCOMPLISHED WORK WHICH MIGHT HAVE BEEN REASONABLY EXPECTED OF IT. AS STATED ABOVE, AGREEMENT WAS REACHED ON LARGE NUMBER OF PROVISIONS OF CODE, AND GROUNDWORK HAS BEEN LAID FOR SPEEDY AGREEMENT ON MOST OF REST. BIGGEST OBSTACLES TO FINAL AGREEMENT WILL BE CARGO-SHARING AND FREIGHT RATE ISSUES. FORMER EMERGED AS MAIN ISSUE OF CONFERENCE AND PRODUCED DEEP SPLIT IN GROUP B RANKS. IT DIFFICULT TO SEE HOW THIS CAN BE RESOLVED AT MARCH SESSION TO SATISFACTION OF ALL COUNTRIES, GIVEN FUNDAMENTAL DIFFERENCES OVER INCORPORATION INTO CODE OF ESSENTIALLY BILATERALIST CARGO-SHARING APPROACH. IMPLEMENTATION SECTION OF CODE PRESENTS SPECIAL PROBLEM BECAUSE DRAFTING WORK MUCH LESS ADVANCED THAN ON CODE'S SUBSTANTIVE PROVISIONS. WITH CONSIDERABLE AGREEMENT NOW ON APPROACH TO IMPLEMENTATION, IT SHOULD BE POSSIBLE HOWEVER TO COMPLETE WORK IN THREE WEEKS ALLOTTED FOR MARCH SESSION. CHANCES ARE FAIRLY GOOD THEREFORE THAT CONVENTION ON CODE OF CONDUCT MAY BE COMPLETED AND ADOPTED BY MAJORITY OF PARTICIPATING COUNTRIES AT MARCH RESUMED SESSION. BASSIN

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Disposition Date: 28 MAY 2004
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